



ARIZONA STATE PARKS BOARD
ARIZONA STATE PARKS OFFICES
JUNE 12, 2012
MINUTES

Board Members Present

Walter D. Armer, Jr., Chairman; Maria Baier, Vice-Chair; Alan Everett; Larry Landry; Bill Scalzo; Tracey Westerhausen

Board Members Present Via Teleconference

Kay Daggett

Staff Members Present

Bryan Martyn, Executive Director; Kent Ennis, Deputy Director; Jay Ream, Deputy Director, Parks and Development; Monica Enriquez, Executive Staff Assistant

Attorney General's Office

Laurie Hachtel, Assistant Attorney General; Joy Hernbrode, Assistant Attorney General

AGENDA

(Agenda items may be taken in any order unless set for a time certain)

A. CALL TO ORDER - ROLL CALL

Chairman Armer called the meeting to order at 1:05p.

- B. CALL TO THE PUBLIC** – Those wishing to address the Board must register at the door and be recognized by the Chair. Presentation time may be limited to three minutes at the discretion of the Chair; the Chair may limit a presentation to one person per organization. The Board may direct staff to study or reschedule any matter for a future meeting.

Andrew Attolah, said he is a campaign intern with Citizens to Save Arizona's Natural Resources and is a student at Arizona State University student. He urged the Board to endorse the Natural Resources Protection Act initiative.

Bill Meek said he was there on behalf of Citizens to Save Arizona's Natural Resources. He also urged the Board to endorse the Natural Resources Protection Act initiative.

Craig Shelly said he was there regarding the Off-Highway Vehicle Advisory Group. He said when Arizona passed the OHV bill in 2009 it was not right but the bill passed in New Mexico was right and he asked the Board and staff to read that bill. He said in New Mexico the OHV advisory group is appointed directly by the Governor and includes is made up of people from different backgrounds including land owners, OHV users, hunter or angler and hiker or backpacker.

- C. EXECUTIVE SESSION** - Upon a public majority vote, the Board may hold an Executive Session that is not open to the public for the following purposes:

1. To discuss or consult with its legal counsel for legal advice on matters listed on this agenda pursuant to A.R.S. §38-431.03(A)(3).
 - a. Off-Highway Vehicle Advisory Group (OHVAG)

Mr. Scalzo motioned to go into Executive Session. Ms. Baier seconded the motion. The motion passed.



D. DISCUSSION AND/OR ACTION

1. The future roles and responsibilities of the Off-Highway Vehicle Advisory Group (OHVAG)

Mr. Martyn said based on the information from legal counsel it is staff's recommendation to leave the OHVAG in place and utilize them in a role as a recommending body only and be purely advisory. He said this is consistent with the statute and also consistent with the statute would be to involve the Arizona Outdoor Recreation Coordinating Commission (AORCC) in an advisory role as well and staff would give its input as well. Ultimately, the Board would receive recommendations from three separate entities. The decision on the awarding of grants would rest completely with the Parks Board.

Mr. Scalzo asked if the OHVAG would make recommendations to AORCC and then AORCC would make recommendations to the Parks Board and staff always had its recommendation to the Board. Mr. Scalzo said he thought the Board should get staff and AORCC's recommendation only.

Mr. Martyn said he does not disagree with that logic but after dealing with the individuals involved. He said there is a level of distrust specific with OHVAG and he felt that if the Board did not have the opportunity to see the OHVAG's recommendation then there would be some political backlash and would rather the Board be brought three recommendations.

Mr. Martyn said it is important the Board to decide who would write the grant rules. Staff recommends that staff writes those rules and the rules would be approved by the Parks Board.

Ms. Westerhausen asked how long John Savino, Chairman, OHVAG's term would last and if OHVAG issues had been discussed with Rep. Jerry Weiers. Mr. Martyn said Mr. Savino's term would end on December 13 and he had not spoken to Rep. Weiers.

Ms. Westerhausen said she thought the Board should look at revising the criteria for the membership of the OHVAG. She said she agreed with staff and legal counsel on their recommendation.

Chairman Armer said he thought there were two primary issues with regard to the OHVAG and the grant process. One is potentially the composition in the OHVAG and two where the grants are going. He noted that in the call to the public Mr. Shelly said Off-Highway Vehicle users do not want rules. He said other states have found that first enforcement would need to be addressed so the rules mean something. He asked Mr. Shelly if that was a fair assessment.

Mr. Shelly answered affirmatively. He said that when you have a group that has never been regulated nor wants to be then you must have law enforcement first. He said the best educational tool is the ticket. The rest of the education will come along as you go forward. He said an example of that is hunting.

Chairman Armer requested that staff work with Mr. Shelly in the future to work on these issues.

Mr. Landry motioned that the Off-Highway Vehicle Advisory Group be a true advisory group, that they make recommendations to Arizona Outdoor Recreation Coordinating Commission who will then make recommendations to the Arizona State Parks Board but



the Arizona State Parks Board will receive recommendations unfettered. In addition the Arizona State Parks Board would ask staff to a) make their own recommendation and b) take the lead in drafting the criteria of the grant manual.

There was no second on this motion.

Mr. Landry motioned that the Arizona State Parks Board approve a process of receiving recommendations on OHV grants from the Off-Highway Vehicle Advisory Group, the Arizona Outdoor Recreation Coordinating Commission and staff.

Mr. Scalzo seconded the motion.

Mr. Scalzo said he thought OHVAG and AORCC needed to have staff recommendations before they made their own recommendations.

Ms. Westerhausen asked if there should be one motion for staff to implement or create or generate grant criteria and the review process to send to the Arizona State Parks Board and then another motion to implement the process where OHV grants are each reviewed by and recommended to the Arizona State Parks Board from AORCC, staff and OHVAG.

Mr. Scalzo withdrew his second from Mr. Landry's motion. Mr. Landry then withdrew his motion.

Ms. Westerhausen motioned that the Arizona State Parks Board direct staff to develop grant criteria and review system for Off-Highway Vehicle grants prior to the Arizona State Parks Board meeting on September 20, 2012.

Mr. Scalzo seconded the motion. The motion passed.

Mr. Scalzo motioned that the Off-Highway Vehicle grants be reviewed by staff, the Off-Highway Vehicle Advisory Group and the Arizona Outdoor Recreation Coordinating Commission and those recommendations be forwarded to the Arizona State Parks Board for final approval.

Ms. Westerhausen seconded the motion. The motion passed.

Chairman Armer said he thought this was a good solution to an on-going problem that would hopefully ruffle as few feathers as possible.

2. To support, oppose, or remain neutral on the Natural Resources Protection Act initiative

Mr. Landry said the Greater Arizona Mayors Association and unanimously endorsed the initiative. In addition organizations such as the Nature Conservancy have already endorsed the initiative.

Mr. Martyn said Arizona State Parks is not out of the woods. Staff is happy with those individuals and groups that seek to secure a long-term funding source but staff would not take an official position.

Mr. Scalzo said when the Governor appointed the Sustainable State Parks Task Force, of which he was a member, that group strongly supported this type of initiative to find stable support for Arizona State Parks. This is consistent with what was recommended by predominantly business groups to the Governor.



Mr. Landry said the Governor's Task Force recommended an opt out voluntary donation which is what this initiative has a funding source.

Mr. Scalzo motioned that the Arizona State Parks Board support the National Resources Protection Act initiative.

Mr. Landry seconded the motion.

Mr. Landry said the Legislature has refused for several sessions to allow people to vote on the \$10 million Heritage Fund. This initiative re-establishes that. He said he preferred the legislative process but the initiative process is in the constitution so that if elected leaders are not listening to the people there is another option.

The motion passed with Ms. Baier and Ms. Daggett abstaining.

E. ADJOURNMENT

The meeting adjourned at 2:44pm.

Pursuant to Title II of the Americans with Disabilities Act (ADA), Arizona State Parks does not discriminate on the basis of a disability regarding admission to public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the acting ADA Coordinator, Nicole Armstrong-Best, (602) 542-7152; or TTY (602) 542-4174. Requests should be made as early as possible to allow time to arrange the accommodation.

A handwritten signature in blue ink, appearing to read "Walter D. Armer, Jr.", written over a horizontal line.

Walter D. Armer, Jr., Chairman

A handwritten signature in blue ink, appearing to read "Bryan Martyn", written over a horizontal line.

Bryan Martyn, Executive Director